

REMARKS

Prior to the instant reply, claims 44-50 were pending in the present application. No claims have been amended, added, or canceled through this Reply. Accordingly, following the entry of this paper, claims 44-50 will be pending in the present application. Reconsideration and allowance of the application is respectfully requested in view of the following remarks.

The 35 U.S.C. § 103 rejections

The Examiner has rejected claims 44-45 and 47-50 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,119,101 to Barnard (hereinafter referred to as “Barnard”) in view of U.S. Patent No. 6,577,603 to Hakalin et al. (hereinafter referred to as “Hakalin”). The applicant respectfully traverses the rejection.

Independent claim 44 is directed to a method of determining a Doppler search window for acquiring a satellite positioning system signal by a mobile communication device. The method comprises a combination of steps including, for example, converting the change in the received cellular communication signal to approximate motion information; and determining the Doppler search window based on the approximate motion information. It is submitted that the cited references do not teach or suggest all of the claim limitations of claim 44.

With respect to the cited references, Barnard is directed to system that allows heading information to be determined based on the GPS satellites Doppler frequency offset. Importantly, Barnard is devoid of any teaching or suggestion for determining a Doppler search window. As described at column 3, lines 15-21, the Barnard system determines heading information by:

measuring the actual Doppler frequency offset on the signal received from the or each satellite due to the motion of that satellite combined with the motion of the vehicle moving at a known speed and deriving the heading of the vehicle from a *difference between the said Doppler frequency offset due to the motion of the satellite alone and the said actual Doppler frequency offset.* (emphasis added).

This is further supported by, for example, column 3 lines 36-38, where it is stated that “the present invention *relies upon an accurate knowledge of the incoming satellite signals....*” (emphasis added). Barnard thus does not determine a search window based on motion information, but rather uses differences between actual received signals and a known offset to

determine a heading. Furthermore, as described at column 5, line 57 through column 6, line 3, the expected frequency of satellite signals is calculated based on known satellite velocity and a known transmission frequency, with any additional frequency offset due to motion of the vehicle. This frequency offset is then used to determine heading information, as described at column 6, lines 14-19. Thus it is submitted that Barnard is devoid of any teaching or suggestion of determining a Doppler search window as claimed.

Hakalin does not cure the deficiencies of Barnard. Hakalin is directed to determining speed of a terminal in a radio system. Hakalin discusses that instantaneous signal strength can be affected by motion of a moving receiver, and determining the speed of the receiver based on several instantaneous signal strength measurements. Importantly, Hakalin is directed only to determining terminal speed, which may then be used in cell handoff. Thus, Hakalin is devoid of any disclosure of determining a Doppler search window as claimed.

Accordingly, it is submitted that the cited references, alone or in combination, are devoid of any teaching or suggestion of the combination of elements as claimed. Therefore, it is submitted that claim 44 is allowable over the cited references. Furthermore, claims 45 and 47-50 each depend from claim 44, and are similarly allowable at least because these claims contains the elements of independent claim 44 from which they depend. These dependent claims may include one or more independent bases for patentability, and the right to assert any such basis in the future is reserved. Applicant therefore respectfully requests that the rejections of claims 44-45 and 47-50 be reconsidered and withdrawn.

The Examiner has rejected claim 46 under 35 U.S.C. § 103(a) as being unpatentable over Barnard in view of Hakalin, and further in view of U.S. Patent No. 5,859,612 to Gilhausen (hereinafter referred to as "Gilhausen"). The applicant respectfully traverses the rejection.

Claim 46 depends from previously discussed independent claim 44 and is similarly allowable at least because this claim contains the elements of independent claim 44. Furthermore, Gilhausen does not teach or suggest the method as claimed. Gilhausen is directed to a method for determining *position* of a mobile station within a cellular telephone system.

Importantly, Gilhousen is devoid of any discussion of determining *approximate motion* of a mobile station, and thus does not overcome any of the above-discussed deficiencies. Applicant therefore respectfully requests that the rejection of claim 46 be reconsidered and withdrawn.

CONCLUSION

In view of the foregoing, Applicant respectfully requests that the Examiner reconsider the outstanding rejections and that these rejections be withdrawn. It is believed that a complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. Applicant therefore respectfully requests that a Notice of Allowance be issued in this case. If the Examiner believes, for any reason, that personal communication will expedite prosecution of the application, the Examiner is invited to telephone the undersigned at the number provided.

If there are any other fees due in connection with the filing of the response, please charge the fees to our Deposit Account No. 17-0026. If a fee is required for an extension of time under 37 CFR 1.136 not accounted for above, such an extension is requested and the fee should also be charged to our Deposit Account.

Respectfully submitted,

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